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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,758	03/29/2001	Takashi Yamamoto	35.C15234	2682

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

LAO, LUN YI

ART UNIT PAPER NUMBER

2673

DATE MAILED: 11/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,758

Applicant(s)

YAMAMOTO ET AL.

Examiner

Lao Y Lun

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 6-10 and 16-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11-15 and 19-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 11-15 and 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano et al(6,313,812) in view of Florin et al(5,594,509).

As to claims 1-5, 11-15 and 19-23, Nagano et al teaches a control system comprising a control apparatus(20, 40)(see figure 6 and column 6, lines 12-55); a control apparatus(20, 40) adapted to receive an operation panel for operating a controlled apparatus(30) from the controlled apparatus(30) and to display the operation panel(see figures 7-10) on a display unit(40)(see figures 6-10; column 7, lines 38-47; column 8, lines 13-34 and column 9, lines 28-42); an operation apparatus(a remote control unit) having a first operation unit(direction keys) for operating the operation panel(see figures 6-10; abstract; column 6, lines 56-68 and column 7, lines 1-28) and the control apparatus(20) having a receiving unit for receiving a control signal from the operation apparatus(a remote control unit) and a control unit(21) for transmitting a command for determining whether or not to transmit a command(e.g. Enter

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command) to the controlled apparatus(30)(see figures 6-10; column 9, lines 28-42 and column 10, lines 1-16).

Nagano et al fail to disclose an operation apparatus having a second operation unit for operating a specific function of the controlled apparatus.

Florin et al teach an operation apparatus(60) having a first operation unit(145, 146, 148, 150, 155) for operating the operation panel(420)(see figures 4a-5a, 36; abstract; column 3, lines 9-16 and column 12, lines 21-32) and a second operation unit(120, 122, 125, 130, 132, 142, 162, 164, 166, 168, 170)for operating a specific function(e.g. volume up or down, channel up or down, rewind, stop or record) of the controlled apparatus(56, 57, 58)(see figures 4a-5a; column 11, lines 50-68 and column 12, lines 1-45). It would have been obvious to have modified Nagano et al with the teaching of Florin et al, so as to provide a more power operation apparatus to a user.

As to claims 2,12 and 20, Florin et al teach the control apparatus(54) for determine which one to the plural display elements(421, 422) in the operation panel(420) is operated(see figures 4a-5a, 36; column 21, lines 56-68 and column 22, lines 1-29).

As to claims 4, 14 and 22, Florin et al teach the control apparatus(54) to transmit a command for operating specific function(power on/off, volume up/down or channel up/down to the controlled apparatus(58) even the display panel is not display on the display unit(180)(see figures 1, 4a-5a and column 11, lines 50-56).

As to claims 3, 5, 13, 15, 21 and 23, Nagano et al teach the control apparatus(20, 40) for determining whether or not to move a cursor(51) on the operation

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panel(see figures 6-10; abstract; column 6, lines 56-68; column 7, lines 20-30 and column 9, lines 20-27) and the control apparatus(20, 40) is adapted to change the operation panel according to data transmitted from the controlled apparatus(30)(see figures 6-10; column 7, lines 38-47; column 8, lines 13-34 and column 9, lines 28-42);

3. Claims 1-5, 11-15 and 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin et al in view of Hahm(5,949,351).

As to claims 1-5, 11-15 and 19-23, Florin et al teaches a communication system comprising a control apparatus(54)(see figures 1, 2 and column 8, lines 31-49); a control apparatus(54) an operation panel(420) presented on a display unit(180); an operation apparatus(60) having a first operation unit(145, 146, 148, 150, 155) for operating the operation panel(420)(see figures 4a-5a, 36; abstract; column 3, lines 9-16 and column 12, lines 21-32) and a second operation unit(120, 122, 125, 130, 132, 142, 162, 164, 166, 168, 170)for operating a specific function(e.g. volume up or down, channel up or down, rewind, stop or record) of the controlled apparatus(56, 57, 58)(see figures 4a-5a; column 11, lines 50-68 and column 12, lines 1-45) and the control apparatus having a receiving unit(82) for receiving a control signal from the operation apparatus(60) and a control unit(63) for determining whether or not to transmit a command for operating specific function(e.g. rewind, stop or record) to the controlled apparatus(56, 57, 58)see figures 1-2, 36; column 8, lines 50-67; column 9, lines 1-25; column 12, lines 38-62; column 21, lines 56-68 and column 22, lines 1-22).

Florin et al teach a method comprising a pointing device(up, down, left, right, 145, 146, 148, 150) and a transceiver(54) for receiving data from the controlled

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apparatus(56-58)(see figures 1, 2, 4a-5a; column 3, lines 9-16; column 8, lines 32-49 and column 10, lines 5-19). Florin et al fail to disclose a cursor on an operation panel and changing the operation panel according to data transmitted from the controlled apparatus.

Hahm teaches a method comprising a pointing device(105) for controlling the moving of a cursor(154) on an operation panel(103)(figures 1, 5 and column 5, lines 12-33) and changing the operation panel(103) according to data transmitted from the controlled apparatus(120, 130, 140)(see figure 1, 7-11; column 6, lines 1-18; column 7, lines 24-52 and column 8, lines 13-19). It would have been obvious to have modified Florin et al with the teaching of Hahm, so as to provide an indication(cursor) to notify a user which position has been activated on a display and update display information on the operation panel.

As to claims 2, 12 and 20, Florin et al teach the control apparatus(54) for determine which one to the plural display elements(421, 422) in the operation panel(420) is operated(see figures 4a-5a, 36; column 21, lines 56-68 and column 22, lines 1-29).

As to claims 4, 14 and 22, Florin et al teach the control apparatus(54) to transmit a command for operating specific function(power on/off, volume up/down or channel up/down to the controlled apparatus(58) even the display panel is not display on the display unit(180)(see figures 1, 4a-5a and column 11, lines 50-56).

Response to Arguments

4. Applicant's arguments with respect to claims 1-5, 11-15 and 19-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi, Lao whose telephone number is (703) 305-4873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached at (703) 305-4938.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

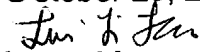
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

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October 29, 2004

A handwritten signature in cursive script, appearing to read "Lun-yi Lao".

Lun-yi Lao

Primary Examiner